

AMENDED IN SENATE JULY 8, 2003  
AMENDED IN SENATE JUNE 24, 2003  
AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1555**

---

**Introduced by Assembly Member Nakano**

February 21, 2003

---

An act to amend Section 654.05 of the Harbors and Navigation Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

AB 1555, as amended, Nakano. Motorized recreational vessels.

Existing law prohibits the operation of motorized recreational vessels, in or upon the inland waters of this state, that exceed specified noise levels.

This bill would, effective January 1, 2005, delete the limitation that the prohibition applies only to the operation of those vessels in or upon the inland waters of this state, and would revise the specified noise levels.

Because the bill would change the definition of and expand the application of a crime, the bill would thereby impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 654.05 of the Harbors and Navigation  
2 Code is amended to read:

3 654.05. (a) A person may not operate a motorized  
4 recreational vessel in a manner that exceeds the following noise  
5 levels:

6 (1) For engines manufactured before January 1, 1993, a noise  
7 level of 90 dB(A) when subjected within one mile of the coastline  
8 to the Society of Automotive Engineers Recommended Practice  
9 SAE J2005 (Stationary Sound Level Measurement Procedure for  
10 Pleasure Motorboats).

11 (2) For engines manufactured on or after January 1, 1993, a  
12 noise level of 88 dB(A) when subjected within one mile of the  
13 coastline to the Society of Automotive Engineers Recommended  
14 Practice SAE J2005 (Stationary Sound Level Measurement  
15 Procedure for Pleasure Motorboats).

16 (3) A noise level of 75 dB(A) measured as specified in the  
17 Society of Automotive Engineers Recommended Practice SAE  
18 J1970 (Shoreline Sound Level Measurement Procedure) within  
19 one mile of the coastline. However, a measurement of noise level  
20 that is in compliance with this paragraph does not preclude the  
21 conducting of a test of noise levels under paragraph (1) or (2).

22 (b) The department may, by regulation, revise the  
23 measurement procedure when deemed necessary to adjust to  
24 advances in technology.

25 (c) This section does not apply to motorized recreational  
26 vessels competing under a local public entity or United States  
27 Coast Guard permit in a regatta, in a boat race, while on trial runs,  
28 or while on official trials for speed records during the time and in  
29 the designated area authorized by the permit. In addition, this  
30 section does not apply to motorized recreational vessels preparing  
31 for a race or regatta if authorized by a permit issued by the local  
32 entity having jurisdiction over the area where ~~the~~ these  
33 preparations occur.

1 SEC. 2. This act shall become operative on January 1, 2005.

2 SEC. 3. No reimbursement is required by this act pursuant to  
3 Section 6 of Article XIII B of the California Constitution because  
4 the only costs that may be incurred by a local agency or school  
5 district will be incurred because this act creates a new crime or  
6 infraction, eliminates a crime or infraction, or changes the penalty  
7 for a crime or infraction, within the meaning of Section 17556 of  
8 the Government Code, or changes the definition of a crime within  
9 the meaning of Section 6 of Article XIII B of the California  
10 Constitution.

